

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL LEAGUE
PLAYERS' CONCUSSION INJURY
LITIGATION

**Opt-Out Plaintiffs' Second Amended
Master Administrative Long-Form
Complaint and (if applicable):**
N/A

No. 12-md-2323(AB)

MDL No. 2323

SHORT FORM COMPLAINT

IN RE: NATIONAL FOOTBALL LEAGUE
PLAYERS' CONCUSSION INJURY
LITIGATION

JURY TRIAL DEMANDED

OPT OUT PLAINTIFF SHORT FORM COMPLAINT AGAINST NFL DEFENDANTS

1. Plaintiff, Robert A. Stein brings this civil action as a related action in the matter entitled IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION INJURY LITIGATION, MDL No. 2323.

2. Plaintiff is filing this short form complaint as required by this Court's Case Management Order filed April 12, 2017.

3. Plaintiff opted-out of the Class Action Settlement approved by the Court on May 8, 2015.

4. Plaintiff incorporates by reference the allegations (as designated below) of the Second Amended Master Administrative Long-Form Complaint, as is fully set forth at length in this Short Form Complaint.

5. Plaintiff Robert Stein is a resident and citizen of Minnesota and claims damages as set forth below.

6. Upon information and belief, the Plaintiff sustained repetitive, traumatic subconcussive and/or concussive head impacts during NFL games and/or practices. Upon information and belief, Plaintiff suffers from symptoms of brain injury caused by the repetitive,

traumatic sub-concussive and/or concussive head impacts the Plaintiff sustained during NFL games and/or practices. Upon information and belief, the Plaintiff's symptoms arise from injuries that are latent and have developed and continue to develop over time.

7. Plaintiff claims damages as a result of [check all that apply]:

- ☒ Injury to Herself/Himself
- ☐ Injury to the Person Represented
- ☐ Wrongful Death
- ☐ Survivorship Action
- ☒ Economic Loss
- ☐ Loss of Services
- ☐ Loss of Consortium

8. Plaintiff brings this case against the following Defendants in this action [check all that apply]:

- ☒ National Football League
- ☒ NFL Properties, LLC

9. Plaintiff played in [check if applicable] ☒ the National Football League ("NFL") and/or in [check if applicable] ☒ the American Football League ("AFL") during 1969-1976 for the following teams: Kansas City Chiefs, Los Angeles Rams, Minnesota Vikings, San Diego Chargers and New Orleans Saints.

10. Plaintiff retired from playing professional football after the 1976 season.

CAUSES OF ACTION

11. Plaintiffs herein adopt by reference the following Counts of the Master Administrative Long-Form Complaint, along with the factual allegations incorporated by reference in those Counts [check all that apply]:

- ☒ Count I (Declaratory Relief (Against Defendant NFL))
- ☒ Count II (Negligence (Against Defendant NFL))
- ☒ Count III (Negligent Marketing (Against all Defendants))

- ☒ Count IV (Negligence (Against Defendant NFL))
- ☒ Count V (Negligent Misrepresentation (Against Defendant NFL))
- ☒ Count VI (Negligent Hiring (Against Defendant NFL))
- ☒ Count VII (Negligent Retention/Supervision (Against Defendant NFL))
- ☒ Count VIII (Fraud (Against all Defendants))
- ☐ Count XI (Wrongful Death (Against all Defendants))
- ☐ Count XII (Survival Action) (Against all Defendants))
- ☐ Count XIII (Loss of Consortium (Against all Defendants))
- ☒ Count XIV (Punitive Damages under All Claims (Against all Defendants))
- ☒ Count XXII (Declaratory Relief: Punitive Damages (Against all Defendants))

12. Plaintiffs assert the following additional causes of action [write in or attach]: N/A.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff and/or Plaintiff's Spouse pray for judgment as follows:

- A. An award of compensatory damages, the amount of which will be determined at trial;
- B. For loss of consortium;
- C. For punitive and exemplary damages as applicable;
- D. For all applicable statutory damages of the state whose laws will govern this action;
- E. For an award of attorneys' fees and costs;
- F. An award of prejudgment interest and costs of suit; and
- G. An award of such other and further relief as the Court deems just and proper.

JURY DEMANDED

Pursuant to Federal Rule of Civil Procedure 38, Plaintiffs hereby demand a trial by jury on all issues so triable.

Dated: July 27, 2017

Respectfully submitted,

By: /s/ Robert A. Stein
ROBERT A. STEIN
2313 Cedar Shore Drive
Minneapolis, MN 55416
Tel: (612) 886-3582
Email: rastein66@aol.com

Pro Se